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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
Moises Mendez,

Plaintiff,

-against-

Starwood Hotels & Resorts Worldwide, Inc.,

Defendant.  
-----X

08 Civ. 4967 (CM)(KNF)

**NOTICE OF MOTION**  
**IN LIMINE**

**PLEASE TAKE NOTICE**, that upon the annexed affirmation of Michael Starr, sworn to on September 25, 2009, with attached exhibits, the affirmation of Andrew P. Levin, M.D., sworn to on September 24, 2009, with attached exhibits, and upon all the pleadings and proceedings had herein, the undersigned will move this Court, on behalf of the Defendant, Starwood Hotels & Resorts Worldwide, Inc., ("Starwood"), before the Honorable Colleen McMahon at the United States District Court, United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York 10007, on a date to be scheduled by the Court, for an Order granting its motion *in limine* precluding the admission into evidence any testimony, statements, and other items as identified in the accompanying memorandum of law, the affirmation of Michael Starr and the affirmation of Andrew P. Levin.

Dated: New York, New York  
September 25, 2009

HOLLAND & KNIGHT LLP  
*Attorneys for Defendant STARWOOD HOTELS  
AND RESORTS WORLDWIDE, INC.*

By: 

Loren L. Forrest, Jr.  
195 Broadway  
New York, New York 10007  
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**CERTIFICATE OF SERVICE**

This is to certify that the foregoing Notice of Motion, the accompanying memorandum of law, the affirmation of Michael Starr and the affirmation of Andrew P. Levin in support of Starwood's Motion in Limine was served upon the following parties via ECF filing:

To:


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AND RESORTS WORLDWIDE, INC.*

Date: New York, New York  
September 25, 2009

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